

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE**

D.T., a minor, by and through his)	
parents B.K.T. and B.H.T.,)	
)	
Plaintiffs,)	Case No. 3:18-cv-00388
)	
v.)	
)	
SUMNER COUNTY SCHOOLS)	Judge William L. Campbell, Jr.
and VENA STUART)	
ELEMENTARY SCHOOL,)	Magistrate Judge Alistair Newbern
)	
Defendants.)	

JOINT MOTION FOR LEAVE TO AMEND NAMED PARTIES

NOW COME Plaintiffs D.T., a minor, by and through his parents B.K.T. and B.H.T.¹ (“Plaintiffs”) and Defendants Sumner County Schools (“District”) and Vena Stuart Elementary School (“VES”), by and through respective counsel, and for their joint motion for leave to amend the identity of Defendant hereby state as follows:

1. Counsel for Defendants have represented to the Court that Sumner County Schools and Vena Stuart Elementary School are incorrectly named in the

¹ Plaintiffs are identified with initials pursuant to Fed.R.Civ.P. 5.2 so as to protect the identity of the minor child as such would be obvious if the full name of the parents were pleaded.

Complaint and are not legal entities. Sumner County Board of Education is the actual legal entity and the proper name of Defendant herein.

2. Plaintiffs consent to this correction.

3. “[A] party may amend its pleading only with the opposing party's written consent or the court's leave. The court should freely give leave when justice so requires.” Fed.R.Civ.P. 15(a)(2).

4. Justice certainly requires that Defendant be correctly identified by its legal name herein.

5. Other than the name change, no other allegations are amended.

WHEREFORE, Plaintiffs and Defendant jointly respectfully request that this honorable Court enter an Order correcting the identity of Defendant as “Sumner County Board of Education” and that all further filings so identify the Defendant and the caption is changed to properly reflect that.

Dated: February 2, 2019

Respectfully submitted,

By: /s/ E. Todd Presnell

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CERTIFICATE OF SERVICE

I, Robert C. Thurston, certify that I served all parties and counsel of record the foregoing document by causing the same to be sent via the ECF system for eFilers and via regular mail for non-eFilers on February 2, 2019:

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